



Docket No.: 1042.2.3

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

I, the below named inventor, I hereby declare that:

My residence and citizenship are as stated below next to my name;

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

RESPONSE-BASED ANALOG-TO-DIGITAL CONVERSION APPARATUS AND METHOD

the specification of which (check one)

_____ is attached hereto.
_____ was filed on _____
as Application Serial No. _____
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed
_____	_____	_____	Yes _____ No _____
(Number)	(Country)	(Day/Month/Year filed)	

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

10/421,129	April 23, 2003	Pending
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As named inventor, I hereby appoint the following attorney and/or agent to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.(list name and registration number)

Brian C. Kunzler **Reg. No.: 38,527**
David J. McKenzie **Reg. No.: 46,919**
Steven F. McDaniel **Reg. No.: 50,587**

Send correspondence to:

Brian C. Kunzler
Kunzler & Associates
8 East Broadway, Suite 600
Salt Lake City, Utah 84111
Telephone: (801) 994-4646

Full name of sole or first joint-inventor: Donald T. Comer

Inventor's signature: Donald T. Comer Date: 7-25-04

Residence: 1631 North 1000 West Mapleton, Utah 84664

Citizenship: United States of America

Post Office Address: Same

Full name of second joint-inventor: Darren S. Korth

Inventor's signature: Darren S. Korth Date: 7-25-04

Residence: 347 W 2660 N, Lehi, Utah 84043

Citizenship: United States of America

Post Office Address: Same